

Regular Session, 2009

ACT No. 299

HOUSE BILL NO. 649

BY REPRESENTATIVES MONToucET, BOBBY BADON, BARRAS, DOERGE,
GALLOT, GISCLAIR, LAFONTA, MILLS, RICHARD, AND THIBAUT AND
SENATORS DUPRE, B. GAUTREAUX, GUILLORY, HEBERT, AND MURRAY

AN ACT

To enact R.S. 11:546 and R.S. 15:574.4.2, relative to the Louisiana State Employees' Retirement System; to provide for a probation and parole processing fee; to create a fund for the deposit of funds generated by such fees; to provide for an effective date; and to provide for related matters.

Notice of intention to introduce this Act has been published
as provided by Article X, Section 29(C) of the Constitution
of Louisiana.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 11:546 is hereby enacted to read as follows:

§546. Adult Probation and Parole Officer Retirement Fund

A. There is hereby established in the state treasury a special fund to be known as the Adult Probation and Parole Officer Retirement Fund, hereafter in this Section, the "fund".

B. Beginning with the 2009-2010 Fiscal Year and for each fiscal year thereafter, and after allocation of money to the Bond Security and Redemption Fund as provided in Article VII, Section 9(B) of the Constitution of Louisiana, the treasurer shall deposit in and credit to the fund on a monthly basis an amount equal to the sum collected for the processing fee charged pursuant to R.S. 15:574.4.2 less any decrease from other parole and probation fees collected in Fiscal Year 2008-2009 and the amount of such fees collected in the current fiscal year, if there is any decrease in the collection of such fees.

C. Monies in the fund shall be invested in the same manner as the state general fund monies. Interest earned on the investment of monies in the fund, after being credited to the Bond Security and Redemption Fund pursuant to Article VII,

1 Section 9(B) of the Constitution of Louisiana, shall be credited to the fund. All
2 unexpended and unencumbered monies and earnings remaining in the fund at the end
3 of the fiscal year shall remain in the fund, until the legislature provides for enhanced
4 benefits for probation and parole officers in the office of adult services of the
5 Department of Public Safety and Corrections who have service credit in the primary
6 component of the system. If the legislature does not provide for such benefit
7 enhancements by June 30, 2015, all monies in the fund shall be available to the
8 Department of Public Safety and Corrections to help defray the costs of supervision
9 of persons on probation or parole.

10 Section 2. R.S. 15:574.4.2 is hereby enacted to read as follows:

11 §574.4.2. Probation and parole processing fee

12 A. A one-time fee of sixty-five dollars shall be assessed for each case file
13 existing on June 30, 2009, and for each new case file opened thereafter by a
14 probation and parole officer of the office of adult services in the Department of
15 Public Safety and Corrections. Such fee shall be collected at the offender's first
16 meeting with any such officer after June 30, 2009, or, if provided for by rule
17 promulgated by the department, over a time period not to exceed twelve months after
18 the first meeting.

19 B. All fees collected pursuant to this Section shall be remitted to the
20 treasurer's office on a monthly basis.

21 Section 3. This Act shall become effective on July 1, 2009; if vetoed by the governor
22 and subsequently approved by the legislature, this Act shall become effective on July 1,
23 2009, or on the day following such approval by the legislature, whichever is later.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____